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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

JASON MENCER, VINCENT DOUGHERTY,  
TIM HARROLD, ROSS HEPBURN, JOSH  
FRASIER, and CODY WALDEN, individually  
and on behalf of members of the proposed  
Classes,

Plaintiffs,

v.

NBTY, INC., UNITED STATES  
NUTRITION, INC., and  
HEALTHWATCHERS, INC.,

Defendants.

Case No.: 2:14-cv-05030-LDW-AKT

**PROPOSED ORDER CONFIRMING  
STIPULATION FOR DISMISSAL  
PURSUANT TO FEDERAL RULE OF  
CIVIL PROCEDURE 41(a)(1)(A)(ii)**

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ FEB -4 2015 ★  
LONG ISLAND OFFICE

The Court, having considered the parties' Stipulation for Dismissal Pursuant to Fed. R. Civ. P. 41(a), and good cause appearing therefor, hereby confirms that:

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedures, all claims, counterclaims, and defenses between Plaintiffs VINCENT DOUGHERTY, TIM HARROLD, and CODY WALDEN and the Defendants, NBTY, INC., UNITED STATES NUTRITION, INC., and HEALTHWATCHERS, INC., in this

Dated: February 4, 2015  
Central Islip, NY

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